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APR 28 2005

In re Application of
Seeley, Lynch, Myers, Lewis, Lloyd & Kayfes
Application No.: 10/607,517
Filed: June 26, 2003
Attorney Docket No.: P2002,0542

OFFICE OF PETITIONS

**DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(a)**

This is a decision on the reconsideration petition under 37 CFR 1.47(a), filed March 21, 2005 (certificate of mailing date March 17, 2005).

The petition is granted.

Petitioners have shown that the non-signing inventor Charles Seeley has constructively refused to join in the filing of the above-identified application after having been presented with the application papers and that non-signing inventor Stacey Lloyd cannot be located. Specifically, the exhibits to the March 9, 2004 (certificate of mailing date March 4, 2004) petition establish that Mr. Seeley was mailed the application papers, including the specification, claims and drawings, but he failed to respond to the request that he sign the declaration. Alwin Reitzler states that searches of telephone directories did not yield contact information for Mr. Lloyd. A mailing of the application papers was not deliverable to Mr. Lloyd's last known address. Despite diligent efforts, Mr. Lloyd could not be located.

Petitioners have submitted a declaration in compliance with 37 CFR 1.63 and 1.64. However, it is noted that the Stacey Lloyd's zip code is missing from all oaths/declarations filed in this application. **Petitioners must submit an Application Data Sheet with Inventor Information for Mr. Lloyd that includes his zip code.**

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded Technology Center A.U. 2184 for examination in due course.

Telephone inquiries should be directed to the undersigned at (571) 272-3230.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



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STACEY LLOYD
1898 ESTATE DRIVE
HILLSBORO, OR 97124

In re Application of
Seeley, Lynch, Myers, Lewis, Lloyd & Kayfes
Application No.: 10/607,517
Filed: June 26, 2003
Attorney Docket No.: P2002,0542

LETTER

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APR 28 2005

OFFICE OF PETITIONS

Dear Mr. Lloyd:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3230.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions

ATTORNEY OF RECORD: LERNER AND GREENBERG, P.A.
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CHARLES SEELEY
17396 N.W. BRICKSTONE CT.
BEAVERTON, OR 97006

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APR 28 2005

OFFICE OF PETITIONS
LETTER

In re Application of
Seeley, Lynch, Myers, Lewis, Lloyd & Kayfes
Application No.: 10/607,517
Filed: June 26, 2003
Attorney Docket No.: P2002,0542

Dear Mr. Seeley:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

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